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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SEKISUI AMERICA CORPORATION and  
SEKISUI MEDICAL CO. LTD.,

Plaintiffs,

v.

RICHARD HART and MARIE LOUISE  
TRUDEL-HART,

Defendants.

12 Civ. 3479 (SAS)

ECF Case

**DEFENDANTS' NOTICE OF MOTION TO DISMISS THE COMPLAINT  
PURSUANT TO RULE 12(b)(6) OF THE FEDERAL RULES OF CIVIL PROCEDURE**

PLEASE TAKE NOTICE THAT, upon the Declaration of Jonathan G. Kortmansky, dated July 3, 2012, and the accompanying Memorandum of Law in Support of Defendants' Motion to Dismiss the Complaint, and all papers filed and proceedings had herein, Defendants Marie Louise Trudel-Hart and Richard Hart, by and through undersigned counsel, will move before the Honorable Shira A. Scheindlin, at the United States Courthouse, 500 Pearl Street, New York, New York, 10007 at a day and time to be set by the Court, for an order dismissing the Complaint pursuant to Fed. R. Civ. P. 12(b)(6) and for such other and further relief as the Court may deem just and proper.

Dated: New York, New York  
July 3, 2012

SULLIVAN & WORCESTER LLP

By: /s/Jonathan G. Kortmansky

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